



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/719,986

11/21/2003

Vincent Trinh

3285P

1743

57580 7590 10/31/2008
STRATEGIC PATENT GROUP, P.C.
P.O. BOX 1329
MOUNTAIN VIEW, CA 94042

EXAMINER

LEE, MICHAEL

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

10/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16, 17, 21-23, 25-29, 34-35, 37-40, 44-46, and 48-55 are rejected under 35 U.S.C. 102(b) as being anticipated by Maturi et al. (5,559,999).

Regarding claim 16, Maturi discloses a MPEP decoding system showing a pre-parser 22, which meets the claimed demultiplexing step, a comparator 42 for comparing an SCR0 with a SCR1, wherein the SCR0 is generated from a clock pulse generator 40 and the SCR1 is parsed from a transport layer, which meets the comparing step as claimed, a synchronizing decoding operation (col. 7, lines 10-53), which meets the adjusting step as claimed, and presentation controllers 30 and 32 (col. 6, lines 45-58), which meets the synchronizing step as claimed. It should be noted that the encoder mentioned in col. 4, line 43 is not synchronized with the decoder system 10. In other words, the encoder and the decoder each have their own system clock generator.

Regarding claim 17, as shown in Figure 10, the comparator performs the comparing operation in a periodic interval.

Regarding claims 21 and 22, the data streams in Maturi are MPEG data streams.

Regarding claim 23, note col. 7, lines 45-48.

Regarding claim 25, note col. 7, lines 48-53.

Art Unit: 2622

Regarding claim 26, note col. 5, lines 51-53.

Regarding claim 27, note col. 6, lines 43-55.

Regarding claims 28-29, 34, 35, 37, 38, see the corresponding rejections as set forth above. In addition, the presentations controllers 30 and 32 inherently include digital to analog converters.

Regarding claims 39, 40, 44-46, 48, and 49, in addition of rejection above, the RAM 18a and host microcontroller 18 meets the article of manufacture as claimed since it stores the computer programs as claimed.

Regarding claims 50-55, as aforementioned, the encoder and the decoder both have their own clock generator.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-20, 30-32, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maturi et al. (5,559,999).

Regarding claims 18-20, in addition of rejection to claim 17, Maturi does not specify the periodic intervals as claimed (10 minutes, 5-10 minutes, or 15 minutes). In any event, since the comparator 42 is controlled by the host microcomputer 18 (note col. 8, lines 22-30), it is understood that the comparing function of the comparator can be configured to operate in any time interval. It would have been a matter of obvious

Art Unit: 2622

design choice. Hence, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the microcomputer 18 of Maturi so that the comparator could be operated in any time interval.

Regarding claims 30-32, and 41-43, see rejections to claims 18-20.

Allowable Subject Matter

5. Claims 24, 36, and 47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2622

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran, can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M. Lee/
Primary Examiner
Art Unit 2622